

REMARKS

In the Office Action, the Examiner rejected claims 1-3, 11, 14, 19, 21, 30-32, and 34-38 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,470,388 to Niemi et al. ("Niemi") in view of U.S. Patent Publication 2002/0138663 A1 to Ladwig ("Ladwig"). The Examiner also rejected claims 10 and 13 under 35 U.S.C. §102(e) as being anticipated by Niemi. The Examiner also rejected claims 12, 23-24, and 26-29 under 35 U.S.C. §103(a) as being unpatentable over Niemi. The Examiner further rejected claims 15-16 under 35 U.S.C. §103(a) as being unpatentable over Niemi in view of U.S. Patent No. 6,144,967 to Nock ("Nock"). The Examiner also rejected claims 17-18, 20, 22, and 25 under 35 U.S.C. §103(a) as being unpatentable over Niemi in view of Nock further in view of U.S. Patent No. 5,740,354 to Ben-Natan et al. ("Ben-Natan"). The Examiner also rejected claims 4 and 33 under 35 U.S.C. §103(a) as being unpatentable over Niemi in view of Ladwig further in view of U.S. Patent 5,819,094 to Sato ("Sato"). The Examiner also rejected claims 5-9 under 35 U.S.C. §103(a) as being unpatentable over Niemi in view of Ladwig and Sato further in view of Nock.

In this Amendment, Applicants have amended claims 1, 10, 19, 23, 29, 30, and 38. Applicants have not canceled any claims or added any new claims. Accordingly, claims 1-38 will be pending after entry of this Amendment.

I. Claims 1-9

In the Office Action, the Examiner rejected claims 1-3 under §103(a) as being unpatentable over Niemi in view of Ladwig. The Examiner also rejected claim 4 under 35 §103(a) as being unpatentable over Niemi in view of Ladwig further in view of Sato. The Examiner also rejected claims 5-9 under §103(a) as being unpatentable over Niemi in view of Ladwig and Sato further in view of Nock.

Claims 2-9 are dependent directly or indirectly on claim 1. Claim 1 recites a method that for an event to be logged that has not yet been logged within an application, creates an event object. The event object occupies a memory space that is independent of the application. The method logs within the event object the start time, end time and information regarding the event. The creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that the cited references do not disclose, teach or even suggest all limitations of claim 1 for at least the following reasons. In the Office Action, the Examiner cited record 514 of Niemi as an event object. Applicants respectfully submit that record 514 is not on a single computer where both creating the event object and logging operations are performed. Specifically, in column 5, line 20, Niemi specifies: "Fig. 2 is a highly schematic network 200 in accordance with the present invention. Network 200 includes three workstations 202, 204, and 206. Each workstation 202, 204, and 206, moreover, is running an instance of a distributed application 208a, 208b, and 208c." Niemi further specifies: "Fig. 5 is a highly schematic functional diagram of the centralized logging facility 236 of Fig 2. ... a suitable platform for the centralized logging facility 236 is any conventional server ...". See, Niemi, column 8, line 55 to column 9, line 2. The central logging facility of Nieman and its associated record 514 are, therefore, not on the same computer as the distributed applications 208a-208c shown in Figure 2 of Niemi. Furthermore, Applicants respectfully submit that Ladwig also does not specify such an event object.

Accordingly, Applicants respectfully submit that the cited references do not render claim 1 unpatentable. As Claims 2-9 are dependent on claim 1, Applicants respectfully submit that claims 2-9 are patentable over Niemi and/or Ladwig for at least the reasons that were discussed

above in relation to claim 1. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of claims 1-9.

II. Claims 10-18

In the Office Action, the Examiner rejected claims 10 and 13 under §102(e) as being anticipated by Niemi. The Examiner also rejected claims 11 and 14 under §103(a) as being unpatentable over Niemi in view of Ladwig. The Examiner also rejected claim 12 under §103(a) as being unpatentable over Niemi. The Examiner further rejected claims 15 and 16 under §103(a) as being unpatentable over Niemi in view of Nock. The Examiner also rejected claims 17 and 18 under §103(a) as being unpatentable over Niemi in view of Nock further in view of Ben-Natan.

Claims 11-18 are dependent directly or indirectly on claim 10. Claim 10 recites a system that includes a foundational layer upon which applications are built or executed. The system also includes an event logging mechanism created by the foundational layer. The logging mechanism executes independently of the applications. The mechanism can generate an event log for any of the applications, without referencing any event logs of the applications. The logging mechanism can turn on or off at any time during the execution of the applications by an entity external to the applications.

Applicants respectfully submit that Niemi does not anticipate claim 10 for at least the following reasons. *First*, none of the entities cited by the Examiner are a foundational layer upon which applications are built or executed which also creates an event logging mechanism as cited in claim 10. Specifically, in the Office Action, the Examiner has cited logging service layer 316, 318, and centralized logger 236 of Niemi as an event logging mechanism. The Examiner has further cited the logging service layer 316, 318, network communication facility 332, 334, and centralized logger 236 of Niemi as foundational layers.

Applicants respectfully submit the network communication facility 332 and 334 of Niemi is used for communication and is not used for creating an event logging mechanism. Furthermore, neither the logging service layer 316, 318 nor the centralized logger 236 of Niemi are a foundational layer upon which applications are built and executed. *See*, Figure 3 of Niemi showing logging services layers 316 and 318 separate then applications 208a and 208b. *See also* discussion in Section I above regarding the centralized logger in Niemi being on a server separate than the workstations where the applications run. Therefore, none of the entities cited by the Examiner are a foundational layer that creates an event logging mechanism and upon which applications are built or executed.

Second, Niemi does not specify a logging mechanism that can turn on or off at any time during the execution of the applications by an entity external to the applications. Specifically, Niemi specifies debug objects that “the applications ... and/or processes ... are configured to construct and manipulate”. *See*, Niemi, Column 8, lines 11-13. Niemi also specifies “[a]pplication programs 208a, 208b and processes 306-312 preferably communicate with and request services from their respective logging service layers 316, 318 through a plurality of application programming interface (API) system calls or service requests.” *See*, Niemi, column 6, lines 34-38. Application respectfully submit logging in Niemi is controlled by the debug objects and API calls that are embedded in the applications and cannot be turned on or off by an entity external to the applications.

Accordingly, Applicants respectfully submit that the Niemi does not render claim 10 unpatentable. As Claims 11-18 are dependent on claim 10, Applicants respectfully submit that claims 11-18 are patentable over Niemi for at least the reasons that were discussed above in relation to claim 10. In view of the foregoing, Applicants respectfully request reconsideration and

withdrawal of the §102(e) rejection of claims 10 and 13 and §103(a) rejection of claims 11-12 and 14-18.

III. Claims 19 and 20

In the Office Action, the Examiner rejected claim 19 under §103(a) as being unpatentable over Niemi in view of Ladwig. The Examiner also rejected claim 20 under §103(a) as being unpatentable over Niemi in view of Nock further in view of Ben-Natan.

Claim 20 is dependent on claim 19. Claim 19 recites an article including a computer readable medium that has instructions stored in it which when executed, for each event in several of events to be logged that has not yet been logged within an application, causes the following. The instructions, when executed, create an event object. The event object occupies a memory space that is independent of the application. The instructions, when executed, also log within the event object the start time, end time and information regarding the event. The creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that the cited references do not disclose, teach or even suggest all limitations of claim 19 for at least the following reasons. In the Office Action, the Examiner cited record 514 of Niemi as an event object. Applicants respectfully submit that record 514 is not on a single computer where both creating the event object and logging operations are performed. Specifically, in column 5, line 20, Niemi specifies: "Fig. 2 is a highly schematic network 200 in accordance with the present invention. Network 200 includes three workstations 202, 204, and 206. Each workstation 202, 204, and 206, moreover, is running an instance of a distributed application 208a, 208b, and 208c." Niemi further specifies: "Fig. 5 is a highly schematic functional diagram of the centralized logging facility 236 of Fig 2. ... a suitable platform for the centralized logging facility 236 is any conventional server ...". See, Niemi,

column 8, line 55 to column 9, line 2. The central logging facility of Nieman and its associated record 514 are, therefore, not on the same computer as the distributed applications 208a-208c shown in Figure 2 of Niemi. Furthermore, Applicants respectfully submit that Ladwig also does not specify such an event object.

Accordingly, Applicants respectfully submit that the cited references do not render claim 19 unpatentable. As Claim 20 is dependent on claim 1, Applicants respectfully submit that claim 20 is patentable over Niemi and/or Ladwig for at least the reasons that were discussed above in relation to claim 19. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of claims 19 and 20.

IV. Claims 21 and 22

In the Office Action, the Examiner rejected claim 21 under §103(a) as being unpatentable over Niemi in view of Ladwig. The Examiner also rejected claim 22 under §103(a) as being unpatentable over Niemi in view of Nock further in view of Ben-Natan. Claim 22 is dependent on claim 21.

Claim 21 recites an apparatus that includes means for creating, for an event to be logged that has not yet been logged within an application, an event object. The event object occupies a memory space that is independent of the application. The apparatus also includes means for logging within the event object the start time, end time and information regarding the event. The creating and the logging are performed on a single computer on which the application executes.

Applicants respectfully submit that the cited references do not disclose, teach or even suggest all limitations of claim 21 for at least the following reasons. In the Office Action, the Examiner cited record 514 of Niemi as an event object. Applicants respectfully submit that record 514 is not on a single computer where both creating the event object and logging

operations are performed. Specifically, in column 5, line 20, Niemi specifies: "Fig. 2 is a highly schematic network 200 in accordance with the present invention. Network 200 includes three workstations 202, 204, and 206. Each workstation 202, 204, and 206, moreover, is running an instance of a distributed application 208a, 208b, and 208c." Niemi further specifies: "Fig. 5 is a highly schematic functional diagram of the centralized logging facility 236 of Fig 2. ... a suitable platform for the centralized logging facility 236 is any conventional server ...". See, Niemi, column 8, line 55 to column 9, line 2. The central logging facility of Nieman and its associated record 514 are, therefore, not on the same computer as the distributed applications 208a-208c shown in Figure 2 of Niemi. Furthermore, Applicants respectfully submit that Ladwig also does not specify such an event object.

Accordingly, Applicants respectfully submit that the cited references do not render claim 21 unpatentable. As Claim 22 is dependent on claim 21, Applicants respectfully submit that claim 22 is patentable over Niemi and/or Ladwig for at least the reasons that were discussed above in relation to claim 21. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of claims 21 and 22.

IV. Claims 23-29

In the Office Action, the Examiner rejected claims 23-24, and 26-29 under §103(a) as being unpatentable over Niemi. The Examiner also rejected claim 25 under §103(a) as being unpatentable over Niemi in view of Nock further in view of Ben-Natan.

Claims 24-29 are directly or indirectly dependent on claim 23. Claim 23 recites a system that includes a foundational layer upon which applications are executed. The system also includes a first application that can execute on the foundational layer. The system also includes a second application that can execute on the foundational layer. The system also includes an event-logging mechanism that can execute on the foundational layer. The event logging mechanism can

function interoperably with but separately from the first and second applications. The event logging mechanism can generate an event log for each of the first and second applications. At least one of the first and second applications does not generate an event log. The event-logging mechanism is separate from the first and second applications and is not compiled with these applications.

Applicants respectfully submit that Niemi does not make claim 23 unpatentable for at least the following reasons. *First*, in the Office Action, the Examiner has cited logging service layer 316, 318, network communication facility 332, 334, and centralized logger 236 of Niemi as a foundational layer upon which applications are built and executed. Applicants respectfully submit that none of the cited entities are a foundational layer upon which applications for which event logs are generated are built or executed. Specifically, Applicants respectfully submit the network communication facility 332 and 334 of Niemi is used for communication and is not a foundational layer upon which the applications for which event logs are generated run. Furthermore, neither the logging service layer 316, 318 nor the centralized logger 236 of Niemi are a foundational layer upon which applications are built and executed. *See*, Figure 3 of Niemi showing logging services layers 316 and 318 separate then applications 208a and 208b. *See also* discussion in Section I above regarding the centralized logger in Niemi being on a server separate than the workstations where the applications run. Therefore, none of the entities cited by the Examiner are a foundational layer that upon which applications for which event logs are generated are built or executed.

Second, Applicants respectfully submit that Niemi does not specify a logging mechanism that is separate and is not compiled with the applications. In the Office Action, the Examiner has cited logging service layer 316, 318 and centralized logger 236 of Niemi as an event-logging

mechanism. Applicants respectfully submit that the logging mechanism of Niemi depends on debug objects and API calls that are embedded in the applications and are, therefore, compiled with the applications. *See*, Niemi, Column 8, lines 11-13 and Niemi, column 6, lines 34-38. Therefore, Applicants respectfully submit that Niemi does not specify a logging mechanism that is separate and is not compiled with the applications.

Accordingly, Applicants respectfully submit that the cited references do not render claim 23 unpatentable. As Claims 24-29 are dependent on claim 23, Applicants respectfully submit that claims 24-29 are patentable over Niemi for at least the reasons that were discussed above in relation to claim 23. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of claims 23-29.

VI. Claims 30 and 38

In the Office Action, the Examiner rejected claims 30-32, and 34-38 under §103(a) as being unpatentable over Niemi in view of Ladwig. The Examiner also rejected claim 33 under §103(a) as being unpatentable over Niemi in view of Ladwig further in view of Sato.

Claims 31-38 are directly or indirectly dependent on claim 30. Claim 30 recites an event logging method that for each of a plurality of events that need to be logged but have not yet been logged within a plurality of applications does the followings. The method creates an event object. The method also stores the event object in a first memory space that is uniquely allocated for the event logging method. The first memory space is separate from a second memory space allocated for several applications. The method logs within the event object the start time, end time and information regarding the event. The first and second memory spaces are within a third memory space of a single computer.

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Applicants respectfully submit that neither Niemi nor Ladwig disclose, teach or even suggest all limitations of claim 30 for at least the following reasons. In the Office Action, the Examiner has cited record 514 of Niemi as an event object and applications 208a and 208b of Niemi as applications. Applicants respectfully submit that, as discussed above, record 514 of Niemi is generated on a centralized logger 236 which is located on a network server while applications 208a and 208b are located on workstations 202 and 204. Therefore, Applications respectfully submit that in Niemi a first memory space in which the event object is stored and a second memory space that are allocated to the applications cannot reside within a third memory space of a single computer. Applicants respectfully submit that Ladwig also does not specify such memory spaces.

Accordingly, Applicants respectfully submit that the cited references do not render claim 30 unpatentable. As Claims 31-38 are dependent on claim 30, Applicants respectfully submit that claims 31-38 are patentable for at least the reasons that were discussed above in relation to claim 30. In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the §103(a) rejection of claims 30-38.

CONCLUSION

In view of the foregoing, it is submitted that all pending claims, namely claims 1-38 are in condition for allowance. Reconsideration of the rejections and objections is requested. Allowance is earnestly solicited at the earliest possible date.

Respectfully submitted,

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